

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Debby Barrett, on March 11, 2011 at 3:00 PM, in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Debby Barrett, Chairman (R)
Sen. Greg Hinkle, Vice Chairman (R)
Sen. Bradley Hamlett (D)
Sen. Verdell Jackson (R)
Sen. Christine Kaufmann (D)
Sen. Jim Keane (D)
Sen. Cliff Larsen (D)
Sen. Donald J. Steinbeisser (R)
Sen. Mitch Tropila (D)
Sen. David E. Wanzonried (D)

Members Excused: Sen. John Brenden (R)
Sen. Jim Peterson (R)
Sen. Chas Vincent (R)
Sen. Edward Walker (R)

Members Absent: None

Staff Present: Kevin McCue, Committee Secretary
Sonja Nowakowski, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 497, 3/3/2011

Executive Action: HB 497 - Be concurred in
HB 37 - Be concurred in
HB 28 - Be concurred in
HB 422 - Be concurred in
HB 52 - Be concurred in
HB 402 - Be concurred in
HB 497 - Be concurred in

HEARING ON HB 497

Opening Statement by Sponsor:

00:01:28 Rep. Christy Clark (R), HD 17, opened the hearing on HB 497, Revise right to appropriate water by permit.

Proponents' Testimony:

00:02:47 Mike Murphy, Executive Director, Montana Water Resources Association (MWRA)

00:06:19 Bob Hardin, self

EXHIBIT(nas55a01)

00:08:24 Bill Hritsco, Irrigation Districts

00:15:02 Krista Lee Evans, lobbyist, Association of Gallatin Agricultural Irrigators (AGAI) and Senior Water Rights Coalition (SWRC)

00:16:09 Holly Franz, lobbyist, PPL Montana, LCC

Opponents' Testimony:

00:20:46 Brenda Lindlief-Hall, lobbyist, Tongue River Water Users Association (TRWUA)

EXHIBIT(nas55a02)

00:29:44 Julia Page, member, Northern Plains Resource Council (NPRC)

Informational Testimony:

00:32:22 Tim Davis, Water Resources Division Administrator, Department of Natural Resources and Conservation (DNRC)

Questions from Committee Members and Responses:

00:32:52 Sen. Jackson

00:34:07 Ms. Lindlief-Hall, TRWUA

00:37:47 Sen. Vincent joined the hearing.

00:38:13 Sen. Keane

00:38:29 Mr. Davis, DNRC

00:39:36 Sen. Steinbeisser

00:39:55 Ms. Lindlief-Hall

00:40:51 Sen. Wanzanried

00:41:44 Ms. Franz, PPL MT, LLC

00:42:31 Sen. Tropila

00:43:14 Mr. Hardin

00:44:12 Sen. Barrett

00:44:17 Mr. Davis

00:45:01 Sen. Kaufmann

00:45:27 Mr. Davis

00:48:08 Sen. Jackson

00:48:45 Rep. Clark

00:49:43 Sen. Jackson

00:49:55 Ms. Franz

00:51:47 Sen. Keane
 00:52:41 Mr. Davis
 00:53:43 Sen. Barrett
 00:54:16 Mr. Hritsco
 00:55:38 Sen. Hamlett
 00:56:48 Mr. Hardin
 01:00:32 Sen. Hamlett
 01:01:02 Rep. Clark
 01:02:09 Sen. Hamlett
 01:02:25 Mr. Davis
 01:02:48 Sen. Tropila
 01:03:09 Ms. Evans
 01:03:45 Sen. Keane
 01:04:00 Mr. Hardin

Closing by Sponsor:

01:05:18 Rep. Clark
 01:08:03 Recess

EXECUTIVE ACTION ON HB 497

01:17:01 **Motion:** Sen. Hinkle moved that **HB 497 BE CONCURRED IN.**

Discussion:

01:17:20 Sen. Steinbeisser
 01:17:56 Sen. Jackson
 01:18:49 Sen. Barrett
 01:19:12 Sen. Hamlett

01:20:05 **Vote:** Motion carried 11-3 by roll call vote with Sen. Kaufmann, Sen. Tropila and Sen. Wanzenried voting no. Sen. Brenden, Sen. Peterson and Sen. Walker voted by proxy. Sen. Steinbeisser will carry the bill.

EXECUTIVE ACTION ON HB 37

01:22:22 **Motion:** Sen. Hinkle moved that **HB 37 BE CONCURRED IN.**

Discussion:

01:22:42 Sonja Nowakowski, Legislative Services Division (LSD)

01:23:18 **Vote:** Motion carried unanimously by voice vote. Sen. Brenden, Sen. Peterson and Sen. Walker voted by proxy. Sen. Walker will carry the bill.

EXECUTIVE ACTION ON HB 28

01:24:26 **Motion/Vote:** Sen. Wanzenried moved that **HB 28 BE CONCURRED IN.** Motion carried 13-1 by voice vote with Sen. Jackson voting no. Sen. Brenden, Sen. Peterson and Sen. Walker voted by proxy. Sen. Hamlett will carry the bill.

EXECUTIVE ACTION ON HB 352

01:26:24 **Motion:** Sen. Hinkle moved that **HB 352 BE CONCURRED IN.**

01:26:42 **Motion:** Sen. Hinkle moved that **HB 352 BE AMENDED.**
EXHIBIT(nas55a03)

Discussion:

01:27:11 Sen. Keane
01:27:32 Sen. Barrett
01:27:59 Sen. Steinbeisser
01:28:23 Without objection, Jon Dilliard, Department of Environmental Quality (DEQ)
01:30:12 Sen. Kaufmann
01:30:17 Mr. Dilliard
01:30:44 Sen. Tropila

01:31:15 **Motion:** Sen. Hinkle withdrew his motion that **HB 352 BE AMENDED.**

01:31:34 **Motion:** Sen. Hinkle withdrew his motion that **HB 352 BE CONCURRED IN.**

EXECUTIVE ACTION ON HB 422

01:32:41 **Motion:** Sen. Vincent moved that **HB 422 BE CONCURRED IN.**

01:33:20 **Motion:** Sen. Kaufmann moved that **HB 422 BE AMENDED.**
EXHIBIT(nas55a04)

Discussion:

01:34:52 Sen. Keane
01:36:04 Sen. Vincent
01:36:38 Sen. Hinkle
01:36:44 Sen. Kaufmann

01:37:50 **Vote:** Motion failed 5-9 by roll call vote with Sen. Hamlett, Sen. Kaufmann, Sen. Larsen, Sen. Tropila and Sen. Wanzenried voting aye. Sen. Brenden, Sen. Peterson and Sen. Walker voted by proxy.

01:39:47 **Motion/Vote:** Sen. Vincent moved that **HB 422 BE CONCURRED IN.** Motion carried 13-1 by roll call vote with Sen. Kaufmann voting no. Sen. Brenden, Sen. Peterson and Sen. Walker voted by proxy. Sen. Vincent will carry the bill.

EXECUTIVE ACTION ON HB 402

01:40:23 **Motion:** Sen. Hinkle moved that **HB 402 BE CONCURRED IN.**

Discussion:

01:40:46 Sen. Kaufmann

01:42:20 Sen. Jackson
01:43:33 Sen. Larsen
01:44:11 Sen. Wanzenried
01:45:10 Sen. Keane
01:45:52 Sen. Tropila
01:47:07 Sen. Vincent

01:48:55 **Vote:** Motion carried 9-5 by roll call vote with Sen. Hamlett, Sen. Kaufmann, Sen. Larsen, Sen. Tropila and Sen. Wanzenried voting no. Sen. Brenden, Sen. Peterson and Sen. Walker voted by proxy. Sen. Vincent will carry the bill.

EXECUTIVE ACTION ON HB 52

01:50:42 **Motion/Vote:** Sen. Hinkle moved that **HB 52 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Brenden, Sen. Peterson and Sen. Walker voted by proxy. Sen. Walker will carry the bill.

ADDITIONAL TESTIMONY

EXHIBIT(nas55a05)

Testimony submitted by George Mathieus, DEQ Planning Division Administrator, distributed to committee on March 11, 2011 relating to HB 52.

ADJOURNMENT

Adjournment:

01:52:49

Kevin McCue, Secretary

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Additional Documents:

EXHIBIT([nas55aad.pdf](#))